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JESUS NUNEZ,
Petitioner,
v.
J. GASTELLO, Warden,
Respondent.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No. 16-00417 EJD (PR)

ORDER OF TRANSFER

Petitioner, a state prisoner at the California Men's Colony in San Luis Obispo, has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254, challenging his state sentence out of Sacramento County. Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d). Here, Petitioner is challenging his conviction out of Sacramento County, which lies within the venue of the Eastern District of California. See 28 U.S.C. § 84(b). Therefore, venue properly lies in that district and not in this one. See 28 U.S.C. § 1391(b). Accordingly, this case is TRANSFERRED to the United States District Court for the Eastern District of California. See 28 U.S.C. § 1406(a).

The Clerk shall terminate all pending motions and transfer the entire file to the Eastern District of California.

IT IS SO ORDERED.

Dated: 5/20/2016



EDWARD J. DAVILA
United States District Judge